

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

LARRY SMITH,

Plaintiff,

v.

CONNIE GIPSON, et al.,

Defendants.

No. 2:20-CV-0071-DAD-DMC-P

ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the Court is Plaintiff's fourth motion, ECF No. 70, for an extension of time to file an opposition to Defendants' motion for summary judgment. Good cause appearing therefor based on Plaintiff's declaration indicating the need for additional time due to a recent prison transfer, separation from his legal mail, and further surgery on his back, Plaintiff's motion will be granted.

However, rather than addressing additional requests for extensions as the medical status of Plaintiff is resolved, the Court here finds that a stay of proceedings is appropriate. The Court will require Plaintiff to submit status reports on the status of his medical issues and access to his legal materials. Once the Court is notified that the restraints on Plaintiff's ability to meaningfully oppose Defendants' motion for summary judgment have been alleviated, the Court will set a due date for Plaintiff's opposition.

Accordingly, IT IS HEREBY ORDERED as follows:

1. Plaintiff's motion for an extension of time, ECF No. 70, is GRANTED to the extent the Court grants a stay of proceedings.
2. This action is STAYED.
3. Plaintiff shall file a status report within 30 days of the date of this order and every 30 days thereafter pending further order of the Court.

Dated: July 27, 2023



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE